
SENATE BILL No. 387

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-39-1-1.

Synopsis: Contact lens prescriptions. Changes the requirement that contact lens prescriptions include an expiration date of not more than one year to not more than two years.

Effective: July 1, 2005.

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January 11, 2005, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 387

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-39-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) This section
3 applies to all health records except mental health records, which are
4 governed by IC 16-39-2, IC 16-39-3, and IC 16-39-4.

5 (b) This article applies to all health records, except:

6 (1) records regarding communicable diseases, which are governed
7 by IC 16-41-8-1; or

8 (2) records regarding alcohol and other drug abuse patient
9 records, which are governed by 42 CFR, Part 2.

10 (c) On written request and reasonable notice, a provider shall supply
11 to a patient the health records possessed by the provider concerning the
12 patient. Information regarding contact lenses must be given using the
13 following guidelines:

14 (1) After the release of a patient from an initial fitting and
15 follow-up period of not more than six (6) months, the contact lens
16 prescription must be released to the patient at the patient's
17 request.



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(2) A prescription released under subdivision (1) must contain all information required to properly duplicate the contact lenses.

(3) A contact lens prescription must include the following:

(A) An expiration date of not more than ~~one (1) year~~; **two (2) years.**

(B) The number of refills permitted.

(4) Instructions for use must be consistent with:

(A) recommendations of the contact lens manufacturer;

(B) clinical practice guidelines; and

(C) the professional judgment of the prescribing optometrist or physician licensed under IC 25-22.5.

After the release of a contact lens prescription under this subsection, liability for future fittings or dispensing of contact lenses under the original prescription lies with the dispensing company or practitioner.

(d) On a patient's written request and reasonable notice, a provider shall furnish to the patient or the patient's designee the following:

(1) A copy of the patient's health record used in assessing the patient's health condition.

(2) At the option of the patient, the pertinent part of the patient's health record relating to a specific condition, as requested by the patient.

(e) A request made under this section is valid for sixty (60) days after the date the request is made.

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